

1 IN THE HOUSE

BY STEVENS AND LEFEVRE

2 HOUSE BILL NO. 290

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending AS 18.90, 'Alaska King
7 Crab Marketing and Quality Control Act'".

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18.90.020 is amended to read:

10 Sec. 18.90.020. AUTHORITY OF COMMISSIONER. The commis-
11 sioner of commerce [FISH AND GAME] shall be an ex officio
12 member of the board and enforce this chapter.

13 * Sec. 2. AS 18.90.040(a) is amended to read:

14 (a) There is created within the Department of Commerce
15 an Alaska King Crab Marketing and Quality Control Board,
16 which consists of six members appointed by the governor and
17 confirmed by a majority of the legislature meeting in joint
18 session. Members of the board shall be citizens and resi-
19 dents of this state, and actively engaged in the industry as
20 [ALL OF THEM SHALL BE] king crab processors or designated
21 representatives of a corporation or partnership or represent-
22 atives of any other business entities who perform the func-
23 tions of a king crab processor in this state. No more than
24 one representative of any one processor may serve on the
25 board at the same time.

26 * Sec. 3. AS 18.90.120(c) is amended to read:

27 (c) Each year the board [THE BOARD] shall not make
28 effective the promotion, research, quality control, assessment
29 and other provisions of this chapter unless and until the

1 the annual budget for those programs is assented to in writing
2 by not less than 51 per cent of the processors by number and
3 by the processors of not less than 51 per cent of the king
4 crab poundage processed in the state by all processors quali-
5 fied to assent. Gross dollar value paid to the fisherman
6 shall be based upon the gross dollar value paid to the fisher-
7 men obtained by the commissioner under (a) of this section.

8 * Sec. 4. AS 18.90.120 is amended by adding a new subsection
9 to read:

10 (d) All provisions of this chapter shall be immediately
11 suspended when the commissioner of commerce has received the
12 written request for the suspension from at least 51 per cent
13 of the processors by number as well as by poundage.

14 * Sec. 5. AS 18.90.140(a) is amended to read:

15 (a) To defray the costs of administration and enforce-
16 ment of this chapter, and to initiate the program contained in
17 it, there shall be an assessment equal to [OF] one per cent
18 of [ON] the 1964 pack for the 1965 budget. The rate shall be
19 made applicable upon a uniform basis on each processor in
20 proportion to the purchases made by such processor, based upon
21 the gross dollar value paid by the processor to the fisherman
22 for the previous calendar year. Thereafter, the board shall
23 propose such increases or decreases in the assessment as are
24 appropriate to carry out this chapter, but no increase or de-
25 crease shall take effect until assented to in writing as set
26 out in sec. 120(c) of this chapter. The assessment shall not
27 be levied or collected more than once upon any lot of king
28 crab processed.

29 * Sec. 6. AS 18.90.150 is amended to read:

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Sec. 18.90.150. FAILURE TO PAY ASSESSMENT. Failure to pay an assessment levied under this chapter shall subject a processor to a civil penalty [IS A MISDEMEANOR AND MAY BE PUNISHABLE BY A FINE OF] not to exceed double the amount of the assessment [FOR EACH INSTANCE OF THE VIOLATION]. The commissioner, with the concurrence of the board, may recommend the amount of the penalty [FINE] to be imposed.

* Sec. 7. AS 18.90.220(3) is amended to read:

(3) "processors" means a person, corporation, partnership or cooperative holding a fisheries business license under AS 43.75.010 - 43.75.090, cooking, canning, freezing or otherwise preparing king crabs commercially for human consumption;